L. Ry. Co. v. *Jackson,* 83 Ohio St. 13, 93 N. E. 260, 21 Ann. Cas. 1313; *Doulson* v. *Matthews,* 4 T. R. 503. See 1 BL. COMM. 228. Only the courts in the state where the particular body of land is located have jurisdiction to determine real or mixed actions concerning it. STORY, CONFLICT OF LAWS, 3 ed., § 554. The question is one of the lack of jurisdiction, and statutes correcting the technical common-law rules of venue do not alter the doctrine. *Allin* v. *Conn. River Lumber Co.,* 150 Mass. 560, 23 N. E. 581, 6 L. R. A. 416; *British South Africa Co.* v. *Compania de Mocambique* [1893] A. C. 602. The defendant may absent himself from the state in which the land lies and thus entirely escape liability. Therefore the rule has not met with a willing reception. See *Livingston* v. *Jefferson, supra.* A judgment rendered in a state other than that of the location of the property has been held conclusive where no objection to the jurisdiction was made until after its rendition. *Sentenis* v. *Ladew,* 140 N. Y. 463, 35 N. E. 650, 37 Am. St. Rep. 569. And an exception is recognized in cases where an act done in one state injures property in another, so that an action for damages may be brought in either. *Smith* v. *Southern Ry. Co.,* 136 Ky. 162, 123 S. W. 678, 26 L. R. A. (N. S.) 927; *Mannville Co.* v. *City of Worcester,* 138 Mass. 89, 52 Am. Rep. 261. See *Thayer* v. *Brooks,* 17 Ohio 489, 49 Am. Dec. 474. In Minnesota the general rule is not adhered to, and the action is regarded not as relating to real estate, but only as affording a personal remedy. *Little* v. *Chicago, St. P. M. & O. R. Co.,* 65 Minn. 48, 67 N. W. 846, 60 Am. St. Rep. 421, 33 L. R. A. 423. The same result was reached in Louisiana also, where such actions have been held personal and not local. *Holmes* v. *Barclay,* 4 La. Ann. 63. Since questions relating to the title or boundaries of the property injured are necessarily involved in such actions for damages, the majority rule would seem the better.

CONSTITUTIONAL LAW—RIGHT OF SUFFRAGE—"GRANDFATHER CLAUSE."—A state statute provided that no one be allowed to vote in any election in the state unless he be able to read and write any section of the state constitution, but further provided that no person who was on or before Jan. 1, 1866 entitled to vote under any form of government and no lineal descendant of such person should be denied the right to vote because of inability to read and write any section of the state constitution. *Held,* the statute is unconstitutional. *Guinn* v. *United States,* 35 Sup. Ct. 926.

The right to vote in the several states of the United States comes from the states and it is not conferred by the federal Constitution and the amendments thereto. *Minor* v. *Happersett,* 21 Wall. 162. All that is guaranteed by the federal Constitution is that no citizen shall be deprived of the right to vote because of "race, color or previous condition of servitude." *United States* v. *Reese,* 92 U. S. 214; *United States* v. *Cruikshank,* 92 U. S. 542. The states alone have the right to prescribe the qualifications of its voters, the only limitation being that they shall deprive no citizen of the right to vote "by reason of race, color or previous condition of servitude." *Minor* v. *Happersett, supra.*

The so-called "literacy test," requiring that voters be able to read and

write sections of the state constitution, has been held a valid and reasonable state regulation, which does not discriminate between the races. *Williams* v. *Mississippi*, 170 U. S. 213. But the effect of the clause which is superimposed upon the "literacy test" of the statute involved in the present case is to exempt from that test all who were voters under any form of government before Jan. 1, 1866, and all descendants of such voters. Thus the statute refers back to the period of time immediately prior to the passage of the Fifteenth Amendment for an electoral standard, making conditions then existing, which were intended to be abolished by the Amendment, the basis of the right of suffrage. Since the date selected is one just prior to the date of the Amendment and since there is apparently no other reason for its selection, it would seem that the object in view is the evasion of the restraint imposed by the Amendment. It has been held that the destruction of the rights which the Fourteenth Amendment was intended to protect—such as the right of contract—can not be made the object of a state statute. *Coppage* v. *Kansas*, 236 U. S. 1. Likewise it would seem that the restoration of a condition purposely destroyed by the Fifteenth Amendment can not legitimately be the object of state legislation.

CORPORATIONS — CHARITABLE CORPORATIONS — LIABILITY FOR TORTS. — The plaintiff, a pay patient in the defendant's hospital, a charitable institution, was injured by the negligence of an employee of the defendant, in the selection and employment of whom due care had been exercised. *Held*, the defendant is liable. *Tucker* v. *Mobile Infirmary Ass'n* (Ala.), 68 South. 4. For principles involved, see 1 VA. L. REV. 636.

CORPORATIONS — FOREIGN CORPORATIONS — MANDAMUS TO COMPEL CALLING OF STOCKHOLDERS' MEETING.—The corporation defendant was a foreign corporation, but all of its property was in California, where it maintained an office and transacted its business. The remaining defendants were its directors who resided in California. The plaintiffs were stockholders in the corporation, and as such petitioned the California court for a writ of mandamus to compel the directors to call a stockholders' meeting. *Held*, mandamus will be granted. *Stapler* v. *El Dora Oil Co.* (Cal.), 150 Pac. 643.

It is the general rule that courts will not interfere with the internal management of foreign corporations either by an equitable decree or by mandamus. *Gregory* v. *New York, etc., R. Co.*, 40 N. J. Eq. 38; *State* v. *DeGroat*, 109 Minn. 168, 123 N. W. 417. But the courts differ as to what constitutes an interference with the internal affairs of a corporation chartered by another state. It has been said that where the act complained of affects the complainant solely in his capacity as a member of the corporation, and is the act of the corporation or its agents, then such act concerns the management of the internal affairs of the corporation; but that where the act affects the individual rights only, it does not concern the internal affairs of the corporation. See *North State, etc., Mining Co.* v. *Field*, 64 Md. 151, 20 Atl. 1039. But this test was expressly disapproved in a suit in equity to compel the issuance of new stock certificates. *Guilford* v. *Western Union Telegraph Co.*,